

2

PATENT APPLICATION  
USSN 10/658,345  
Attorney Docket No.: VDAN-40003

#### Remarks

The Examiner's rejection of claims 1-8 under 35 U.S.C. § 103(b) for being unpatentable over the Ozzie U.S. Patent No. 5,664,099 in view of the Wang et al. U.S. PG Publication 2002/0023215 and claims 9-11 under 35 U.S.C. § 103(b) for being unpatentable over the Ozzie U.S. Patent No. 5,664,099 in view of the Wang et al. U.S. PG Publication 2002/0023215 and in view of Patzer et al. U.S. Patent No. 6,372,270, as these rejections may be attempted to be applied against claims 1-8, are respectfully traversed.

In support of this traverse, applicant points out the following:

First of all one must approach the claimed authorization method and system from a broader aspect to better see the basic differences between the claimed authorization method and system and the cited prior art.

Broadly speaking, according to the technical solution suggested by Ozzie et al during any single registration each user or client selects a screen format (e.g. he sees a telephone set, a car, a house or a triangle) and in case of all of his/her access trials he will see this particular format (but this applies only to this particular client because a different client will not see a house but e.g. an umbrella and not a telephone set but a television set, etc.) and in each of his access initiations (registrations) the client will always see this very same picture or format, and then enters an always identical response that can be a letter or number.

Ozzie has suggested a more complicated version as well which differs from the previous simple one in the following: during the registration process the user will see not

only a single figure but a number of figures in sequence. The second figure is defined by the letter the user has entered after having seen the first figure. The second figure is predetermined by the letter entered (i.e. if he entered a number 3 after the first figure, the second figure will comprise a car, however if he entered the letter A, then the second figure will comprise a radio set, etc.).

In this prior art, the user was also given a chance to identify the system and not only can the system identify the user. Accordingly, not only the user has a predetermined fixed secret password towards the system but also the system has a secret knowledge towards the user (which is not else than the unique figure displayed on the screen towards this particular user, wherein other users will see different figures) and on the basis of seeing this unique assigned figure the user can identify to have a dialogue with the particular selected system.

Apart from this property this conventional solution is practically the same as if the user had a plurality of predetermined different static passwords, of which during all of his registrations he should enter one.

In contrast to the listed static and always repeated properties, the claimed authorization method and system has the basic concept, that during two different registrations the user will never see the same pictures on the screen, because in all of his registrations he will see an array of randomly selected set of symbols, and from these symbols the user generates a password (set of symbols) which is unique and valid and usable only for this single registration. The generation of this unique single symbol set (password) occurs by using the algorithm or rule known only to him and to the central system. This single password constitutes a secret

PATENT APPLICATION  
USSN 10/658,345  
Attorney Docket No.: VDAN-40003

between the user and the system and will be used to provide the single access to the user.

The two solutions differ in that in the prior art the figures and the responses thereto and the dialogue between the user and the system are predetermined and being repeated in all registrations, while in the claimed authorization method and system nothing is repeated and nothing is identical at two or more registrations. In the claimed authorization method and system the rule or algorithm how a password (set of symbols) is formed is the one that remains the same, however, from the dialogue between the user and the system this algorithm cannot be de-ciphered or derived. If any third party (assuming a bad faith intruder) watches the dialogue between the system and the user in the claimed authorization method and system, he will not obtain any information concerning the next transaction. This always different dialogue forms the basis of the claimed authorization method and system which distinguishes it from the cited solutions, in which all is predetermined and repeated at subsequent registrations of the same user.

The Examiner is correct when stating that once a common secret has been established between the computer used by the user (whether it is mobile as in case of Wang or fixed as in case of Patzer) and the central unit of the system, then the processes occurring thereafter are conventional, since the use of secret communication channels between two computers or the use of electronic signatures all constitute common knowledge.

The essence of the claimed authorization method and system lies just in the way how the secret information is established between the user and the central unit

PATENT APPLICATION  
USSN 10/658,345  
Attorney Docket No.: VDAN-40003

which secret information is valid only for a single occurrence and nothing is repeated, thus no one can derive any access information by secretly watching the user how he establishes his access.

The Examiner is kindly requested to consider in the cited prior art the predetermined fixed nature of the elements of the dialogue between the user and the central unit of the system, which fixed nature mean that identical events take place at repeated registrations of the same user.

As long as the cited prior art does not comprise the single occurrence secret password or code between the user and the central system characteristic to the claimed authorization method and system, the man skilled in the art cannot obtain any direction or teaching to make the invention by knowing the citations alone or in combination. The references and citations given in the action do not prove that the cited systems generate always new access conditions as it is the case in the claimed authorization method and system.

The Examiner is also advised in Europe and in several other countries a prior art reference, like the cited Wang publication and which was not published before the priority date of the present application would not serve as a ground for rejection of inventive step, since the man skilled in the art before the priority date would not have had access to learn the content of Wang, and would not have been in a position to utilize the combination of the teachings of Ozzie and Wang, as Wang was then not yet accessible. In Europe, Wang would only constitute a novelty bar.

6

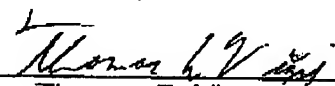
PATENT APPLICATION  
USSN 10/658,345  
Attorney Docket No.: VDAN-40003

In summary, applicant submits that, for the reasons set forth above, the claims are clear of the art of record and otherwise in condition for allowance. An early and favorable action to that end is requested.

Respectfully submitted,

December 14, 2007  
Chicago, IL 60601  
221 N. LaSalle Street  
Room 2036  
(312) 236 8123

Pyle & Piontek, LLC

By   
Thomas R. Vigil  
Registration No. 24,542